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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

IN RE: TELESCOPES ANTITRUST
LITIGATION

Case No. 5:20-cv-03639-EJD (consolidated)

Case No. 5:20-cv-03642-EJD

The Hon. Edward J. Davila

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**JOINT STIPULATION REGARDING
BRIEFING SCHEDULE FOR RESPONSE
TO AMENDED CLASS ACTION
COMPLAINTS**

Trial Date: none set

Pursuant to Civil L.R. 6-1 and 6-2, Indirect Purchaser Plaintiffs (collectively, “IPPs”), Direct Purchaser Plaintiffs (“DPPs”) (collectively, “Plaintiffs”), and Defendants Celestron Acquisition, LLC; David Shen; Suzhou Synta Optical Technology Co., Ltd.; Nantong Schmidt Opto-Electrical Technology Co. Ltd.; Synta Technology Corp.; SW Technology Corporation; Synta Canada International Enterprises Ltd.; Olivon Manufacturing Group Ltd.; Olivon USA; Joe Lupica; Dave Anderson; and Pacific Telescope Corp. (collectively, “Defendants”) hereby stipulate as follows:

WHEREAS, on June 2, 2021, the Court granted in part and denied in part Defendants’ Motions to Dismiss the Complaints in both actions (ECF No. 177 (*Hightower*) and 173 (*Spectrum*));

WHEREAS, the original deadline for Plaintiffs to file an amended complaint was June 16, 2021 (ECF No. 177 (*Hightower*) and 173 (*Spectrum*));

WHEREAS, on June 8 and 9, 2021, the Court entered the Parties’ Stipulations to extend the time for Plaintiffs to file amended Complaints to July 27, 2021 and extended Defendants’ time to respond to the Complaint to August 17, 2021 (ECF No. 181 (*Hightower*) and 176 (*Spectrum*));

WHEREAS, on July 23 and 26, 2021, the Court entered the Parties’ Stipulations to extend the time for Plaintiffs to file amended Complaints to August 31, 2021, and extended Defendants’ time to respond to the Complaint to September 28, 2021 (ECF No. 188 (*Hightower*) and 180 (*Spectrum*));

WHEREAS, Plaintiffs filed further Amended Class Action Complaints on August 31, 2021 (ECF No. 197 (*Hightower*) and 188 (*Spectrum*));

WHEREAS, Plaintiffs and Defendants have met and conferred and to accommodate lead defense counsel’s move to a new law firm have agreed to extend the deadline for Defendants to respond to the amended complaints up to, and including, October 12, 2021, and that Plaintiffs shall have up to, and including, November 19, 2021, to respond to Defendants’ anticipated Motion to Dismiss, with any reply briefs due on December 10, 2021.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. Defendants’ deadline to file a response to Plaintiffs’ amended complaints in both

1 actions shall be extended to October 12, 2021.

2 2. Plaintiffs' deadline to oppose or otherwise respond to any Motion to Dismiss shall be
3 extended to November 19, 2021.

4 3. Any reply to any motion to dismiss shall be filed by December 10, 2021.

5
6
7 Dated: September 21, 2021

Respectfully Submitted,

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Corporation; Synta Canada International Enterprises
Ltd.; Olivon Manufacturing Group Ltd. (incorrectly
named as Olivon Manufacturing Co. Ltd.); Olivon
USA; Joe Lupica; Dave Anderson; and Pacific
Telescope Corp.

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22 **ATTORNEY ATTESTATION**

23 I, Amber Henry, am the ECF User whose ID and password are being used to file this
24 document. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that all counsel have concurred
25 in this filing.

26 /s/ Amber Henry

27 Amber Henry

[PROPOSED] ORDER

Pursuant to the Joint Stipulation Regarding Briefing Schedule for Response to Amended
Class Action Complaints, IT IS SO ORDERED.

Date: _____, 2021

By: _____

Hon. Edward J. Davila
United States District Court Judge